

February 20, 2009

**OFFICE OF THE HEARING EXAMINER
KING COUNTY, WASHINGTON**

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AMENDED REPORT AND DECISION

SUBJECT: Department of Development and Environmental Services File No. **L07P0014**
Proposed Ordinance No. **2008-0457**

LAKEFIELD

Preliminary Plat Application and
Application for Approval of the Transfer of Development Rights

Location: 24600 block of Southeast Issaquah-Fall City Road, Issaquah

Applicant: CamWest 148
represented by **Robert Johns**
Johns, Monroe, Mitsunaga
1601—114th Avenue Southeast, Suite 110
Bellevue, Washington 98004
Telephone: (425) 451-2818

King County: Department of Development and Environmental Services
represented by **Fereshteh Dehkordi**
900 Oakesdale Avenue Southwest
Renton, Washington 98055
Telephone: (206) 296-7173
Facsimile: (206) 296-7051

SUMMARY OF RECOMMENDATIONS/DECISION:

Department's Preliminary Recommendation:	Approve subject to conditions
Department's Final Recommendation:	Approve subject to conditions (modified)
Examiner's Decision:	Approved subject to conditions (modified)
Examiner's Amended Decision:	Approved subject to conditions (modified)
EXAMINER PROCEEDINGS:	

Hearing Opened:	October 9, 2008
Hearing Closed:	October 9, 2008
Hearing Reopened for administrative purposes:	February 18, 2009
Hearing Closed:	February 18, 2009

Participants at the public hearing and the exhibits offered and entered are listed in the attached minutes. A verbatim recording of the hearing is available in the office of the King County Hearing Examiner.

ISSUES AND TOPICS ADDRESSED:

Maintenance of “fire lane” signs and restrictions

SUMMARY:

A subdivision of 22 lots for single-family residences in the urban area, including the transfer of a maximum of three development credits, is approved subject to conditions.

FINDINGS, CONCLUSIONS & DECISION: Having reviewed the record in this matter, the Examiner now makes and enters the following:

FINDINGS:

B. GENERAL INFORMATION:

Owner/Developer:	CamWest 148, LLC Attn: Aaron Hollingbery 9720 NE 120th Place, Suite 100 Kirkland, WA 980034
Engineer:	Core Design 14711 NE 29 th Place, Suite 101 Bellevue, WA 98007
STR:	SW 14-24-06
Location:	24600 block of SE Issaquah-Fall City Road, Issaquah
Zoning:	Residential 6du/acre, (R-6)
Acreage:	3.22 acres
Number of Lots:	22
Density:	6 du/acre
Average Lot Size:	3,746 S.F.
Proposed Use:	Residential
Sewage Disposal:	Sammamish Plateau Water & Sewer District
Water Supply:	Sammamish Plateau Water & Sewer District
Fire District:	KC Fire District 10
School District:	Issaquah School District

Complete Application Date: September 17, 2007

2. Except as modified herein, the facts set forth in the King County Land Use Services Division’s preliminary report to the King County Hearing Examiner for the October 9, 2008, public hearing are found to be correct and are incorporated herein by this reference. The LUSD staff recommends approval of the application, including the transfer of development credits, subject to conditions.

3. Preliminary fire engineering approval of this proposed plat was granted on October 16, 2007 by the King County Fire Marshal, subject to conditions. Any future residences constructed within this subdivision are required to have sprinklers, unless the requirement is removed by the King County Fire Marshal. This condition was imposed pursuant to Section 503 of the International Fire Code, which requires all portions of exterior walls to be within 150 feet of an approved route, having a minimum 20-foot wide unobstructed driving surface. Vehicles parked on a roadway are considered to be an obstruction. To qualify for removal of the sprinkler requirement, the driving surface of the road to and within the subdivision would be required to have a minimum curb to curb width of 36 feet, or a minimum width of 28 feet with parking restricted on one side of the road or a minimum driving surface width of 20 feet with parking restricted on both sides of the road.

The applicant has proposed as a condition of final plat approval that fire sprinklers would be provided for all homes, in which case the required curb to curb width for the internal roads in the plat shall be 24 feet; or that the applicant would obtain the approval of the King County Fire Marshal to remove the sprinkler requirement by providing a 20-foot wide fire lane within a minimum 28-foot wide curb to curb internal road, with no parking signage on one side approved by the Fire Marshal, with appropriate provision for perpetual maintenance of the signage by the homeowner's association, subject to approval of the Fire Marshal. The King County Department of Transportation objected to the applicant's proposal, unless there is added a provision that signs and markings also be approved by the Department of Transportation, which may include an extended right-of-way use permit. The applicant objected to the additional language proposed by the Department of Transportation, stating its concern that it could become the victim of conflicting interpretations by the two county agencies. The applicant also contends that KCC 17.04.420 provides authority for maintenance of the parking restrictions by the homeowner's association.

Following the issuance of the Hearing Examiner's initial Report and Decision on this application on October 20, 2008, the applicant appealed that decision. Subsequently, the applicant, DDES and the King County Department of Transportation (DOT) reached agreement on an appropriate condition, and stipulated that the appeal should be dismissed if the examiner issued an amended decision in accordance with the stipulation. The examiner finds that the parties' stipulation meets the King County departments' responsibilities to provide for the public safety and the applicant's concern that the plat is capable of being developed in conformance with the conditions of final plat approval.

4. The lots within the Lakefield subdivision will be served by a public road that extends into the site from the east through the plat of Hunter's Place, which is currently under construction. The curb to curb roadway width of the road through Hunter's Place is 22 feet.
5. A single homeowner's association will be established for the plat of Lakefield and the plat of Hunter's Place. Both plats are planned for development by the same developer, and the covenants recorded for Hunter's Place provide for the future inclusion of the Lakefield plat in the same homeowner's association.
6. The applicant claims that 50 feet from the centerline of the Issaquah-Fall City Road already exists on the frontage of the subject property. The Department of Development and Environmental Services has requested that an additional condition, "8.F" be added to the conditions of final plat approval, to require the dedication of an additional 20 feet of right-of-way along the frontage of the Issaquah-Fall City Road, as shown on the April 9, 2008 revised plat. The Issaquah-Fall City Road is a principal arterial, for which a 100-foot wide right-of-way is

required. DDES and the Department of Transportation are satisfied with language that assures that 50-feet from the centerline exists on the frontage of the subject property at the time the final plat is recorded. An additional dedication is not requested by DDES if 50 feet of right-of-way already exists north of the centerline.

CONCLUSIONS:

1. If approved subject to the conditions recommended below, the proposed subdivision will comply with the goals and objectives of the King County Comprehensive Plan, subdivision and zoning codes, and other official land use controls and policies of King County.
2. If approved subject to the conditions recommended below, this proposed subdivision will make appropriate provision for the public health, safety and general welfare, and for open spaces, drainage ways, streets, other public ways, transit stops, potable water supply, sanitary waste, parks and recreation, playgrounds, schools and school grounds and safe walking conditions for students who only walk to school; and it will serve the public use and interest.
3. The conditions for final plat approval recommended below are in the public interest and are reasonable and proportionate requirements necessary to mitigate the impacts of the development upon the environment.
4. The dedications of land or easements within and adjacent to the proposed plat, as required for final plat approval or as shown on the proposed preliminary plat submitted by the Applicant on May 22, 2008, are reasonable and necessary as a direct result of the development of this proposed plat, and are proportionate to the impacts of the development.
5. The maximum density permitted on the subject property, which is zoned R-6, is nine dwelling units per acre. The use of transferred density credits is permitted in the R-6 zone in the Urban Area, and the proposed use is consistent with the maximum density permitted on the subject property. The transfer of up to three transferable density rights should be approved for the proposed development pursuant to Chapter 21A.37 of the King County Code.
6. The minimum required roadway right-of-way for principal arterials in the Urban Area is 100 feet. The applicant's responsibility to provide that right-of-way is met by assuring the existence of 50 feet of dedicated right-of-way on the northerly side of the centerline of the Issaquah-Fall City Road adjacent to the property frontage.
7. It is within the jurisdiction of the King County Fire Marshal to require, as a condition of final plat approval, that all residences constructed within the plat have sprinklers installed; or the Fire Marshal may waive that requirement if a 20-foot minimum width unobstructed right-of-way is available to within 150 feet of the exterior walls of the residences. The King County Department of Transportation has the responsibility for establishing restrictions on the use of public right-of-way, and providing signage and other methods to ensure that fire lanes within the public right-of-way are maintained without obstruction. KCC Section 17.04.420.G, which provides that fire lane markings shall be maintained at the expense of the property owners to clearly identify the designated area as being a fire lane, does not override provisions of the King County Road Standards that authorize and establish responsibility for making and maintaining improvements to the public right-of-way. The financial responsibility for improvements to the public right-of-way is a separate issue.

The stipulation among King County DDES, King County DOT and the applicant (exhibit 19) is consistent with the responsibilities of both agencies and the right of the applicant to develop the property subject to reasonable conditions. It is in the public interest and consistent with King County's responsibility to provide for the public safety to implement the terms of that stipulation.

DECISION:

The transfer of up to three density rights to the subject property is approved, subject to the conditions for final plat approval.

The proposed subdivision, as revised and received May 22, 2008 is granted preliminary approval, subject to the following conditions of final plat approval:

1. Compliance with all platting provisions of Title 19 of the King County Code.
2. All persons having an ownership interest in the subject property shall sign on the face of the final plat a dedication which includes the language set forth in King County Council Motion No. 5952.
3. The plat shall comply with the base density and minimum density requirements of the R-6 zone classification. All lots shall meet the minimum dimensional requirements of the R-6 zone classification and shall be generally as shown on the face of the approved preliminary plat, except that minor revisions to the plat which do not result in substantial changes may be approved at the discretion of the Department of Development and Environmental Services.

Any/all plat boundary discrepancy shall be resolved to the satisfaction of DDES prior to the submittal of the final plat documents. As used in this condition, "discrepancy" is a boundary hiatus, an overlapping boundary or a physical appurtenance which indicates an encroachment, lines of possession or a conflict of title.
4. The applicant is using the provision of KCC 21A.12.030 and KCC 21A.37.030 to transfer 3 additional lots. A valid certificate of Transfer of Development Right (TDR) issued in the name of the applicant for additional 3 lots shall be submitted for the final plat review. The TDR certificate must be verified by the King County Department of Natural Resources prior to the final approval and recording of the plat.
5. All construction and upgrading of public and private roads shall be done in accordance with the 2007 King County Road Design and Construction Standards established and adopted by Ordinance No. 11187, as amended.
6. The applicant must obtain the approval of the King County Fire Protection Engineer for the adequacy of the fire hydrant, water main, and fire flow standards of Chapter 17.08 of the King County Code. (See Attachment 2 for a copy of the Fire Engineering Review.)

Prior to submission of engineering plans, the applicant shall select one of the following options:

- A. Provide a recorded restriction on the development of all homes in the plat, in language approved by the King County Fire Marshal, to require sprinklers. If this option is selected, the required curb to curb width for the internal roads in the plat shall be 24 feet and the right-of-way width shall be sufficient to accommodate the improvement standards set forth in the King County Road Standards; or

- B. Obtain the approval of the King County Fire Marshal to remove the sprinkler requirement from the subdivision by providing a minimum 20-foot wide fire lane with minimum 28-foot wide curb to curb internal roads with parking restricted to one side. Provide “No Parking—Fire Lane” signs and/or other markings approved by the Fire Marshal pursuant to KCC 17.04.420, provided signage dimensions and material specifications shall comply with the Manual on Uniform Traffic Control Devices (MUTCD). If this option is elected, the homeowners association shall be responsible for monitoring and inspecting parking compliance and signage on a regular basis. DDES shall review and approve the relevant homeowner association covenants, conditions and restrictions language. A note referencing this requirement shall be recorded on the final plat.

Appropriate provisions shall be made for maintenance of the fire lane signage, sign reflectivity and/or other markings by the homeowner’s association, subject to approval and monitoring by the Fire Marshal pursuant to KCC 17.04.420.

An easement of adequate dimension to allow for sign placement and maintenance shall be established parallel and adjacent to the right-of-way for the benefit of the homeowners association. Failure to privately maintain the signage and enforce parking restrictions may result in code enforcement action in accordance with King County Code Titles 17 and 21 or similar provisions for successor agencies.

7. Final plat approval shall require full compliance with drainage provisions set forth in King County Code 9.04. Compliance may result in reducing the number and/or location of lots as shown on the preliminary approved plat. The following conditions represent portions of the Code. Requirements shall apply to all plats.

- A. Drainage plans and analysis shall comply with the 2005 King County Surface Water Design Manual and applicable updates adopted by King County. DDES approval of the drainage and roadway plans is required prior to any construction.
- B. Current standard plan notes and ESC notes, as established by DDES Engineering Review, shall be shown on the engineering plans.
- C. The following note shall be shown on the final recorded plat:

"All building downspouts, footing drains, and drains from all impervious surfaces such as patios and driveways shall be connected to the permanent storm drain outlet as shown on the approved construction drawings # _____ on file with DDES and/or the King County Department of Transportation. This plan shall be submitted with the application of any building permit. All connections of the drains must be constructed and approved prior to the final building inspection approval. For those lots that are designated for individual lot infiltration systems, the systems shall be constructed at the time of the building permit and shall comply with plans on file."

- D. The following conditions specifically address drainage issues for this particular plat:
- i. The drainage facilities shall meet the requirements of the 2005 King County Surface Water Design Manual (KCSWDM). The drainage design shall meet at a minimum the Conservation Flow Control and Sensitive Lake Protection Water Quality Treatment requirements in the KCSWDM.

- ii. A drainage adjustment (KC File L08V0035) and road variance (KC File L08V0036) are approved for this site (see Attachments 3 & 4). All conditions of approval for this adjustment and variance shall be met prior to approval of the engineering plans.
 - iii. To implement the required Best Management Practices (BMP's) for treatment of storm water, the final engineering plans and technical information report (TIR) shall clearly demonstrate compliance with all applicable design standards. The requirements for best management practices are outlined in Chapter 5 of the 2005 KCSWDM. The design engineer shall address the applicable requirements on the final engineering plans and provide all necessary documents for implementation. The final recorded plat shall include all required covenants, easements, notes, and other details to implement the required BMP's for site development.
- 8. The following road improvements are required to be constructed according to the 2007 King County Road Design and Construction Standards (KCRDCS):
 - A. The internal access road (Road A) shall be improved at a minimum to the urban subaccess street standard with a permanent cul-de-sac at the west end.
 - B. Sufficient Right-of-Way shall be dedicated with the final plat for the portion of the existing cul-de-sac adjacent to Tract B, in the northeast corner of the site. This cul-de-sac was previously constructed with the plat of Hunters Place, KC File L01P0018.
 - C. Any proposed joint use driveways or private access tracts shall be improved per Section 3.01 and 2.09 of the KCRDCS. These Tracts shall be owned and maintained by the Lot owners served.
 - D. There shall be no direct vehicular access to or from Issaquah-Fall City Road from those lots which abut it. A note to this effect shall appear on the engineering plans and final plat.
 - E. Modifications to the above road conditions may be considered according to the variance provisions in Section 1.12 of the KCRDCS.
 - F. The applicant shall demonstrate that 50 feet of right-of-way for the Issaquah-Fall City Road exists on the northerly side of the centerline prior to final plat recording, or, if necessary, shall dedicate the additional right-of-way necessary to provide 50 feet of right-of-way northerly of the centerline along the full frontage of the subject property.
- 9. All utilities within proposed rights-of-way must be included within a franchise approved by the King County Council prior to final plat recording.
- 10. The applicant or subsequent owner shall comply with King County Code 14.75, Mitigation Payment System (MPS), by paying the required MPS fee and administration fee as determined by the applicable fee ordinance. The applicant has the option to either: (1) pay the MPS fee at final plat recording, or (2) pay the MPS fee at the time of building permit issuance. If the first option is chosen, the fee paid shall be the fee in effect at the time of plat application and a note shall be placed on the face of the plat that reads, "All fees required by King County Code 14.75,

Mitigation Payment System (MPS), have been paid.” If the second option is chosen, the fee paid shall be the amount in effect as of the date of building permit application.

11. Lots within this subdivision are subject to King County Code 21A.43, which imposes impact fees to fund school system improvements needed to serve new development. As a condition of final approval, fifty percent (50%) of the impact fees due for the plat shall be assessed and collected immediately prior to recording, using the fee schedules in effect when the plat receives final approval. The balance of the assessed fee shall be allocated evenly to the dwelling units in the plat and shall be collected prior to building permit issuance.
12. A planter island (if any) within the cul-de-sac shall be maintained by the abutting lot owners or homeowners association. This shall be stated on the face of the final plat.
13. Portions of the site are classified as Critical Areas. The proposal shall comply with the following requirements:
 - A. The site contains a portion of a Category III wetland. Category III wetlands require a 75-foot buffer measured from the wetland edge. This buffer maybe reduced from 75 feet to 50 feet as shown on the preliminary site map. The King County Critical Area Code requires that wetland and its associated buffer be placed in a protective Critical Area Tract (CAT). A 15-foot Building Setback line from the edge of the CAT shall be provided.
 - B. A Category IV wetland exists on the subject site. This wetland maybe altered as proposed with on-site mitigation. A conceptual mitigation plan for on-site mitigation was provided for preliminary plat review. The conceptual plan was reviewed and was considered acceptable.
 - C. A wooden split-railed fence or similar shall be installed along the CAT boundary.
 - D. A final mitigation plan that includes buffer enhancement shall be prepared and submitted with the engineering plans. The engineering plans shall be reviewed by Critical Areas Staff.
 - E. Prior to construction or clearing activities on the site the CAT boundaries shall be clearly marked with orange construction fencing or similar, and shown on the engineering plans. The fencing shall remain in place until all clearing or construction is completed.
 - F. The following note shall be shown on the final engineering plan and recorded plat:

RESTRICTIONS FOR CRITICAL AREA TRACTS AND CRITICAL AREAS AND BUFFERS

Dedication of a critical area tract/critical area and buffer conveys to the public a beneficial interest in the land within the tract/critical area and buffer. This interest includes the preservation of native vegetation for all purposes that benefit the public health, safety and welfare, including control of surface water and erosion, maintenance of slope stability, and protection of plant and animal habitat. The area critical tract/critical area and buffer imposes upon all present and future owners and occupiers of the land subject to the tract/critical area and buffer the obligation, enforceable on behalf of the public by King County, to leave undisturbed all trees and other vegetation within the

tract/critical area and buffer. The vegetation within the tract/critical area and buffer may not be cut, pruned, covered by fill, removed or damaged without approval in writing from the King County Department of Development and Environmental Services or its successor agency, unless otherwise provided by law.

The common boundary between the tract/critical area and buffer and the area of development activity must be marked or otherwise flagged to the satisfaction of King County prior to any clearing, grading, building construction or other development activity on a lot subject to the critical area tract/critical area and buffer. The required marking or flagging shall remain in place until all development proposal activities in the vicinity of the critical area are completed.

No building foundations are allowed beyond the required 15-foot building setback line, unless otherwise provided by law.

14. A 9000-square-foot combined recreation and drainage tract is proposed. The recreation tract shall meet all requirements of KCC 21A.14.180 through 21A.14.195. If the recreation requirements cannot be met due to drainage standard requirements, a separate recreation tract consistent with KCC21A.14.180 shall be provided. The applicant has submitted a conceptual recreation plan within the site plan set. The following shall be provided:
 - A. A detailed recreation space plan consistent with the conceptual recreation plan in file shall be prepared and be submitted for review with the engineering plans. The final recreation plan shall include location, area calculations, dimensions, finished grade and general improvements including access to the underground vault for maintenance, driveway to the access grate and landscaping per KCC 21A.16 and equipment specifications. Review and approval of the recreation tract shall be concurrent with the review and approval of the engineering plans.
 - B. As noted in the conceptual recreation plan, additional play area shall be included to account for the required play area for the plat of Hunter's Place.
 - C. A performance bond for recreation space improvements and landscaping shall be posted prior to recording of the plat.
 - D. The recreation tract shall be accessible and be used by the residents of Hunter's Place. Similarly, the residents of this plat shall have access to the recreation facility of Hunter's Place and take part in its maintenance. A note to this effect shall be recorded with the plat.
15. A homeowner's association or other workable organization shall be established to the satisfaction of DDES which provides for the ownership and continued maintenance of the recreation and Critical Areas Tract and for the maintenance and monitoring of any no parking lane and associated signage installed pursuant to Condition 6(B). The residents of the adjoining plat of Hunter's Place shall have access to the recreation tract and participate in its maintenance. A note to this effect shall be recorded with the plat.

The homeowner's maintenance agreement for the plat of Hunter's Place shall record a provision to allow access and maintenance obligations for the recreation tract to the residents of the Lakefield Plat. A copy of this agreement shall be recorded with the plat.

16. Street trees shall be provided as follows:
- A. Trees shall be planted at a rate of one tree for every 40 feet of frontage along Road A. Spacing may be modified to accommodate sight distance requirements for driveways and intersections. The spacing may be reduced if planting is on the north side of the cul-de-sac road.
 - B. Trees shall be located within the street right-of-way and planted in accordance with Drawing No. 5-009 of the 2007 King County Road Standards, unless King County Department of Transportation determines that trees should not be located in the street right-of-way.
 - C. If King County determines that the required street trees should not be located within the right-of-way, they shall be located no more than 20 feet from the street right-of-way line.
 - D. The trees shall be owned and maintained by the abutting lot owners *or* the homeowners association or other workable organization unless the County has adopted a maintenance program. This shall be noted on the face of the final recorded plat.
 - E. The species of trees shall be approved by DDES if located within the right-of-way, and shall not include poplar, cottonwood, soft maples, gum, any fruit-bearing trees, or any other tree or shrub whose roots are likely to obstruct sanitary or storm sewers, or that is not compatible with overhead utility lines.
 - F. The applicant shall submit a street tree plan and bond quantity sheet for review and approval by DDES prior to engineering plan approval.
 - G. The street trees must be installed and inspected, or a performance bond posted prior to recording of the plat. If a performance bond is posted, the street trees must be installed and inspected within one year of recording of the plat. At the time of inspection, if the trees are found to be installed per the approved plan, a maintenance bond must be submitted or the performance bond replaced with a maintenance bond, and held for one year. After one year, the maintenance bond may be released after DDES has completed a second inspection and determined that the trees have been kept healthy and thriving.
 - H. A landscape inspection fee shall also be submitted prior to plat recording. The inspection fee is subject to change based on the current County fees.
17. The proposed plat shall comply with the requirements of KCC 16.82 including the significant tree retention as required by 16.82.156. A significant tree retention/replacement plan shall be submitted with the engineering plans.

ORDERED this 20th day of February, 2009.

James N. O'Connor
King County Hearing Examiner *pro tem*

NOTICE OF RIGHT TO APPEAL

In order to appeal the decision of the Examiner, written notice of appeal must be filed with the Clerk of the King County Council with a fee of \$250.00 (check payable to King County Office of Finance) ***on or before March 6, 2009***. If a notice of appeal is filed, the original and six (6) copies of a written appeal statement specifying the basis for the appeal and argument in support of the appeal must be filed with the Clerk of the King County Council ***on or before March 16, 2009***. Appeal statements may refer only to facts contained in the hearing record; new facts may not be presented on appeal.

Filing requires actual delivery to the Office of the Clerk of the Council, Room 1025, King County Courthouse, 516 3rd Avenue, Seattle, Washington 98104, prior to the close of business (4:30 p.m.) on the date due. Prior mailing is not sufficient if actual receipt by the Clerk does not occur within the applicable time period. The Examiner does not have authority to extend the time period unless the Office of the Clerk is not open on the specified closing date, in which event delivery prior to the close of business on the next business day is sufficient to meet the filing requirement.

If a written notice of appeal and filing fee are not filed within fourteen (14) calendar days of the date of this report, or if a written appeal statement and argument are not filed within twenty-one (21) calendar days of the date of this report, the decision of the hearing examiner contained herein shall be the final decision of King County without the need for further action by the Council.

MINUTES OF THE OCTOBER 9, 2008, PUBLIC HEARING AND ADMINISTRATIVE REOPENING
ON DEPARTMENT OF DEVELOPMENT AND ENVIRONMENTAL SERVICES FILE NO.
L07P0014.

James N. O'Connor was the Hearing Examiner in this matter. Participating in the hearing were Fereshteh Dehkordi, Bruce Whittaker and Kristen Langley, representing the Department and Aaron Holly and Bob Johns representing the Applicant. On February 18, 2009 the Hearing Examiner reopened the record of this hearing for the purpose of entering exhibits 18 through 21, as listed below.

The following exhibits were offered and entered into the record on October 9, 2008:

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|----------------|--|
| Exhibit No. 1 | Department of Development and Environmental Services file no. L07P0014 |
| Exhibit No. 2 | Department of Development and Environmental Services Preliminary Report, dated October 9, 2008 |
| Exhibit No. 3 | Application for Land Use Permits received August 20, 2007 |
| Exhibit No. 4 | Revised SEPA checklist received January 2, 2008 |
| Exhibit No. 5 | SEPA Determination of Non-Significance issued August 8, 2008 |
| Exhibit No. 6 | Affidavit of Posting indicating a posting date of September 28, 2007; received by DDES on October 10, 2007 |
| Exhibit No. 7 | Site plan (6 pgs) dated May 22, 2008 and received May 22, 2008 |
| Exhibit No. 8 | Assessors Maps SW 14-24-06 |
| Exhibit No. 9 | Wetland Determination and Conceptual Mitigation Plan dated August 7, 2007 and received August 20, 2007 |
| Exhibit No. 10 | Revised Wetland Determination and Conceptual Mitigation Plan dated December 29, 2007 and received January 2, 2008 |
| Exhibit No. 11 | Revised Wetland Determination and Conceptual Mitigation Plan dated April 4, 2008 and received April 9, 2008 |
| Exhibit No. 12 | Revised Preliminary Storm Drainage Calculations and Offsite Drainage Investigation dated July, 2008 and received July 17, 2008 |

- Exhibit No. 13 King County Surface Water Design Manual Experimental Adjustment No. L08V0035 issued July 15, 2008
- Exhibit No. 14 King County Road Design and Construction Standards Variance L08V0036 issued June 19, 2008
- Exhibit No. 15 Certificate of Transportation Concurrency issued July 10, 2007
- Exhibit No. 16 School Walkway plan dated November 7, 2007 and received January 2, 2008
- Exhibit No. 17 Applicant's recommended condition regarding fire lanes/fire prevention issues

The following exhibits were offered and entered into the record on February 19, 2009:

- Exhibit No. 18 Applicant's Statement of Appeal dated November 10, 2008 (including appendices "A" and "B")
- Exhibit No. 19 Stipulation Regarding Amended Plat Conditions, received February 19, 2009
- Exhibit No. 20 E-mail from Bob Johns, dated January 28, 2009
- Exhibit No. 21 E-mail from Bob Johns, dated February 18, 2009

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